

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JONATHAN NEIRA,

Plaintiff,

-against-

ARMOR MEDICAL, and NASSAU COUNTY
SHERIFF'S DEPARTMENT,

Defendants.

X : ORDER
: 13-CV-7271 (JFB) (GRB)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURTE D NY

★ JUN 13 2014 ★

JOSEPH F. BIANCO, District Judge:

LONG ISLAND OFFICE

On December 20, 2013, Jonathan Neira ("plaintiff") *pro se* filed a complaint against Armor Correctional Health Services of New York, Inc. ("Armor") and the Nassau County Sheriff's Department. The Nassau County Sheriff's Department answered the complaint on February 19, 2014. By letter dated March 28, 2014, counsel for Armor informed the Court of Armor's intention to move to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). The Court ordered that the parties adhere to the following briefing schedule: Armor's motion was due by April 30, 2014; plaintiff's response was due by May 30, 2014; and Armor's reply was due by June 13, 2014. A copy of the Court's scheduling order was mailed to plaintiff.

Armor timely filed its motion to dismiss on April 23, 2014. To date, plaintiff has neither responded to the motion nor otherwise communicated with the Court. It thus appears that plaintiff may have abandoned his case against all defendants.

IT IS HEREBY ORDERED that plaintiff submit a letter to the Court no later than June 27, 2014, explaining why plaintiff's entire case—against Armor and the Nassau County Sheriff's Department—should not be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil

Procedure for failure to prosecute. If plaintiff fails to respond to this Order, the Court shall dismiss plaintiff's entire case against Armor and the Nassau County Sheriff's Department, with prejudice, for failure to prosecute.

SO ORDERED.

s/ Joseph F. Bianco

~~JOSEPH F. BIANCO~~
UNITED STATES DISTRICT JUDGE

Dated: June 13, 2014
Central Islip, New York